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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NICHOLAS GARROTT,

Defendant.

CASE NO. 2:18-cr-00252-JCM-VCF-2

STIPULATION AND ORDER TO CONTINUE SENTENCING (THIRD REQUEST)

IT IS HEREBY STIPULATED by and between Nicholas Garrott, Defendant, by and through his counsel, Paola M. Armeni, Esq., of the law firm of Clark Hill PLC and the Plaintiff, United States of America, by and through Nicholas Trutanich, United States Attorney, and Shaheen P. Torgoley, Assistant United States Attorney, that the Sentencing in the above-captioned matter, currently scheduled for October 23, 2020, at the hour of 10:00 a.m. be vacated and set to a date and time convenient to the Court but not earlier than thirty (30) days.

This Stipulation is entered into for the following reasons:

1. The parties need additional time to prepare for sentencing. Mr. Torgoley has replaced the original-assigned AUSA and will be handling the sentencing.

2. The parties continue to negotiate a component of sentencing which may have an impact on the parties' recommendations.
3. Defendant Mr. Nicholas Garrott, has appeared in this case, and is in custody and, along with the government, agrees to this short continuance.
4. The additional time requested herein is not sought for purposes of delay and the denial of this request for a continuance could result in a miscarriage of justice.
5. Federal Rule of Criminal Procedure 32(b)(2) permits this Court to continue a sentencing hearing for good cause. Good cause exists in this case.
6. For all the above-stated reasons, the ends of justice would be best served by a short continuance of the sentencing hearing.
7. This is the third request for a continuance of the sentencing hearing.

NICHOLAS TRUTANICH
UNITED STATES ATTORNEY
DISTRICT OF NEVADA

CLARK HILL PLC

DATED this 16th day of October, 2020.

DATED this 16th day of October, 2020.

/s/ Shaheen P. Torgoley
Shaheen P. Torgoley
Assistant United States Attorney
Attorneys for Plaintiff,
UNITED STATES OF AMERICA

/s/Paola M. Armeni
PAOLA M. ARMENI
Attorney for Defendant,
NICHOLAS GARROTT

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

CASE NO. 2:18-cr-00252-JCM-VCF-2

4 Plaintiff,

5 vs.

6 NICHOLAS GARROTT,

7 Defendant.
8
9

10 **FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
12 Court hereby finds that:

13 **CONCLUSIONS OF LAW**

14 Based on the fact that counsel has agreed to a continuance, the Court hereby concludes
15 that:

- 16 1. The parties need additional time to prepare for sentencing. Mr. Torgley has replaced the
17 original-assigned AUSA and will be handling the sentencing.
- 18 2. The parties continue to negotiate a component of sentencing which may have an impact on
19 the parties' recommendations.
- 20 3. Defendant Mr. Nicholas Garrott, has appeared in this case, and is in custody and, along
21 with the government, agrees to this short continuance.
- 22 4. The additional time requested herein is not sought for purposes of delay and the denial of
23 this request for a continuance could result in a miscarriage of justice.
- 24 5. Federal Rule of Criminal Procedure 32(b)(2) permits this Court to continue a sentencing
25 hearing for good cause. Good cause exists in this case.
- 26 6. For all the above-stated reasons, the ends of justice would be best served by a short
27 continuance of the sentencing hearing.

7. This is the third request for a continuance of the sentencing hearing.

ORDER

IT IS HEREBY ORDERED that the sentencing hearing in this matter scheduled for October 23, 2020, at the hour of 10:00 a.m. is hereby vacated and continued to the 18th day of December, 2020, at the hour of 11:00 a.m., in Courtroom 6A.

DATED October 16, 2020.



JAMES C. MAHAN
UNITED STATES DISTRICT COURT JUDGE
CASE NO.: 2:18-cr-00252-JCM-VCF-2